



Order Filed on January 3, 2018  
by Clerk U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

DENISE CARLON, ESQUIRE

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Attorneys for Movant

Toyota Motor Credit Corporation

In Re:

Russell Fischer,

Debtor.

Case No.: 17-17093-JKS

Adv. No.:

Hearing Date: 1/11/2018

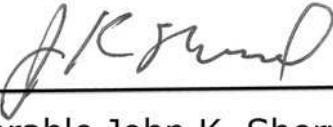
Judge: John K. Sherwood

**ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S OBJECTION  
TO DEBTOR'S CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby

**ORDERED**

**DATED: January 3, 2018**

  
Honorable John K. Sherwood  
United States Bankruptcy Court

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Debtor: Russell Fischer  
Case No.: 17-17093-JKS  
Caption: **ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S  
OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, the holder of a lien on Debtor's vehicle, a 2011 Toyota Prius, VIN # JTDFN3DU6B5328246, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for the Secured Creditor and Barry Miller, Esq., attorney for Debtor, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that Secured Creditor's lien shall be paid in full through Debtor's Chapter 13 plan at an interest rate of 5%; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the parties mutually agree on a value of \$9,000.00 for the subject vehicle; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the total due to Secured Creditor, including interest, shall be \$10,190.47, consisting of the agreed value of \$9,000.00 and \$1,190.47 in interest that will accrue during the course of Debtor's Chapter 13 plan over 60 months;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the Debtor shall maintain insurance on the vehicle in accordance with the terms of the loan documents during the entirety of this case and shall furnish proof of same annually and upon request;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that Toyota Motor Credit Corporation's lien shall remain on the subject vehicle until Debtor has completed all plan payments and receives a discharge in this case; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** Toyota Motor Credit's lien will only be released upon the Debtor's receipt of his discharge and completion of his Chapter 13 Plan. Any dismissal of the case or conversion to a Chapter 7 will result in a full reinstatement of the lien; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the lien shall be released and extinguished upon the successful completion of the Debtors' Chapter 13 plan; and

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Debtor: Russell Fischer  
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It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that Toyota Motor Credit Corporation shall file a release of the lien within 30 days of the date of the service of Debtors' discharge; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that in the event Toyota Motor Credit Corporation fails to discharge the mortgage within the prescribed period, the Debtors and/or Debtors' counsel may file a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that Toyota Motor Credit Corporation's objection to confirmation is hereby resolved.

**Certificate of Notice Page 4 of 4**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Russell L Fischer  
 Debtor

Case No. 17-17093-JKS  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Jan 03, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 05, 2018.

db +Russell L Fischer, 139 Lawrence Dr, PO Box 122, Short Hills, NJ 07078-0122

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 05, 2018

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 3, 2018 at the address(es) listed below:

Barry Scott Miller on behalf of Debtor Russell L Fischer bmiller@barrysmitteresq.com, jmiller@barrysmitteresq.com  
 Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com  
 Laura M. Egerman on behalf of Creditor CIT BANK, N.A. bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com  
 Marie-Ann Greenberg magecf@magnettrustee.com  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5